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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

DAN L. WHITNEY, JANET R. HADLEY,  
 MARGARET A. KORNOW-BROWN, ERIC  
 BRELLE,

Plaintiffs,

vs.

CHARLES WURTZ, VERISCAPE, INC.,  
 RENEE TADLOCK, REGINA RYGELIS,  
 WILL ARNTZ, SAM JACOB, GARY  
 BERKOWITZ, BRIAN ROE, and DOES 1  
 TO 20, inclusive,

Defendants.

AND RELATED CROSS-ACTIONS.

CASE NO. CO405232

STIPULATION AND ORDER  
 CONTINUING MOTION FOR  
 ORDER RELEASING DOCUMENTS  
 FROM PROTECTIVE ORDER AND  
 MOTION TO COMPEL  
 PRODUCTION OF DOCUMENTS

STIPULATION

This Stipulation is entered into by and between plaintiffs, DAN L. WHITNEY, JANET R.  
 HADLEY, MARGARET A. KORNOW-BROWN and ERIC BRELLE, and defendants, CHARLES

1 WURTZ, VERISCAPE, INC., REGINA RYGELIS, GARY BERKOWITZ, and BRIAN ROE, by  
2 and through their attorneys of record herein with reference to the following facts:

3 1. On November 20, 2006, plaintiffs filed a Motion for Order Releasing Documents  
4 from Protective Order. On that same day, defendant VERISCAPE filed a Motion to Compel  
5 Production of Documents. The Motion for Order Releasing Documents from Protective Order was  
6 set for January 30, 2007 and the Motion to Compel Production of Documents was set for January  
7 16, 2006.

8 2. At the Case Management Conference on November 21, 2006, the attorneys for the  
9 moving parties requested that both motions be heard on January 30, 2007.

10 3. On December 15, 2006, the court ordered that the hearing date for defendant  
11 VERISCAPE's Motion to Compel Further Responses to Demands for Production of Documents be  
12 continued to January 30, 2007. Defendants' attorney, Brian Baker, who will be responding to the  
13 Motion for Order Releasing Documents from Protective Order, will be out of the country until after  
14 the last date for filing a response to said motion and accordingly, counsel have agreed that the two  
15 motions should be continued one week, to February 6, 2007.

16 WHEREFORE, IT IS HEREBY STIPULATED by and between plaintiffs, DAN L.  
17 WHITNEY, JANET R. HADLEY, MARGARET KORNOW-BROWN and ERIC BRELLE and  
18 defendants, CHARLES WURTZ, VERISCAPE, INC., REGINA RYGELIS, GARY BERKOWITZ,  
19 and BRIAN ROE, by and through their counsel as follows:

20 A. The Motions for Order Releasing Documents from Protective Order and to Compel  
21 Production of Documents, currently set for hearing on January 30, 2007, shall be continued to  
22 February 6, 2007.

23 DATED: December 22, 2006

  
ROBERT N. BURMEISTER, JR.  
Attorney for Defendants

25 DATED: December 22, 2006

  
DAVID R. BECK  
Attorney for Plaintiffs

ORDER

IT IS HEREBY ORDERED that plaintiffs, DAN L. WHITNEY, JANET R. HADLEY, MARGARET A. KORNOW-BROWN and ERIC BRELLE ~~that the Motion~~ for Order Releasing Defendants' Motion Documents from Protective Order and to Compel Production of Documents, currently set for hearing on January 30, 2007, shall be continued to February 6, 2007

DATED: January 3, 2007



PATRICIA TRUMBULL  
Judge of the United States District Court